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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,727	02/04/2004	Hideyuki Hayashi	17412	4048
23389 7590 04/16/2008 SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			EXAMINER QUIETT, CARRAMAH J	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 04/16/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/771,727

**Applicant(s)**

HAYASHI, HIDEYUKI

**Examiner**

Carramah J. Quiet

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 11-19, 23 and 33-41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 20-22 and 24-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment(s), filed on 01/14/2008, have been entered and made of record. Claims 1-10, 20-22, and 24-32 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed 01/14/2008 have been fully considered but they are not persuasive.

The Examiner has rejected claims 1, 2, 3, 20, 21, 22, 24, and 25 under 35 U.S.C. 102(e) as being anticipated by Hunter (U.S. Pat. #6738572). The Applicant asserts that Hunter fails to disclose or suggest a mobile communications terminal equipped with a camera. The Applicant also asserts that a camera function controller for selectively inhibiting one or more of the plurality of camera functions depending on camera function limitation data corresponding to the at least one operation-limited area (or camera function limitation data as recited in claim 24). Examiner respectfully disagrees. In col. 4, lines 42-65, Hunter teaches a unit housed within a portable camera. Then, Hunter teach that the unit further comprises a disable module which, when actuated, is arranged to disable one or more of the functions of the portable camera in accordance with data stored on a smart card (col. 4, lines 50-54). [Emphasis Added] According to the teaching of Hunter, the Examiner maintains the 102 rejections to claims 1, 2, 3, 20, 21, 22, 24, and 25.

For the other claims 4-10 and 26-32, Applicant asserts that the cited prior art references [Masuda (Pub. No. US 2002/0118797) and Steinburg et al. (U.S. Pat. #6,433,818)] fail to disclose or suggest a camera function controller for selectively inhibiting a number of the

plurality of camera functions. The Examiner respectfully disagrees. In response to the Applicant's assertions, please read the response to claims 1, 2, 3, 20, 21, 22, 24, and 25 above.

The Applicant additionally asserts that there is no reference or suggestion made in Steinberg for providing a face image memory for previously registering a face image of each authorized user. Once again, the Examiner respectfully disagrees. In col. 9, lines 24-26, Steinburg teaches that the authorized user can activate the camera by positioning his (or her) eye at the viewfinder. [Emphasis added]. This particular embodiment appears in col. 9, lines 14-37 and in figure 13 of Steinburg. Accordingly, the Examiner maintains the rejections to claims 4-10 and 26-32.

***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. **Claims 1, 2, 3, 20, 21, 22, 24, and 25** are rejected under 35 U.S.C. 102(e) as being anticipated by Hunter (U.S. Pat. #6738572).

For **claim 1**, Hunter discloses a system (fig. 2) for limiting a plurality of camera functions in a mobile communication terminal equipped with a camera (not shown; col. 4, lines 43-65; col. 5, lines 17-50), comprising:

at least one operation-limited area (predetermined area, such as a museum), wherein the mobile communication terminal is allowed to determine whether the mobile communication terminal is located within the at least one operation-limited area (col. 4, lines 50-65; col. 5, lines 28-41);

a memory (104) storing camera-function limitation data for each of the at least one operation-limited area, the camera-function limitation data indicating selective inhibition of the plurality of camera functions (col. 4, lines 43-65; col. 5, lines 17-50); and

a camera function (106) controller for selectively inhibiting one or\* more of the plurality of camera functions depending on camera-function limitation data corresponding to the at least one operation-limited area in which the mobile communication terminal is located (col. 4, lines 50-65).

For **claim 2**, Hunter discloses the system according to claim 1, wherein the camera function controller releases an inhibited camera function when a predetermined condition is satisfied (col. 4, lines 50-65).

For **claim 3**, Hunter discloses the system according to claim 1, wherein each of the at least one operation-limited area substantially defined by radio propagation of a camera-function limiting signal broadcast by a radio station (16/118) installed at a predetermined location, the camera-function limiting signal including the camera-function limitation data,

wherein the mobile communication terminal comprises a radio receiver (110) for receiving the camera-function limiting signal from the radio station. Please see fig. 2 and read col. 4, lines 50-65.

**Claims 20-22** are method claims corresponding to apparatus claims 1-3, respectively. Therefore, claims 20-22 are analyzed and rejected as previously discussed with respect to claims 1-3, respectively.

For **claim 24**, Hunter discloses a mobile communication terminal (fig. 2) which is equipped with a camera (not shown) and has a plurality of camera functions (col. 4, lines 43-65; col. 5, lines 17-50), comprising:

a radio receiver for receiving a camera-function limiting signal from a radio station installed at a predetermined location (col. 4, lines 50-65; col. 5, lines 28-41);

a signal decoder(106) for decoding the camera-function limiting signal to produce camera-function limitation data indicating selective inhibition of the plurality of camera functions (col. 4, lines 50-65); and

a camera function (106) controller for selectively inhibiting one or\* more of camera functions depending on camera-function limitation data (col. 4, lines 50-65).

**Claim 25** is an apparatus claim corresponding to apparatus claim 3. Therefore, claim 25 is analyzed and rejected as previously discussed with respect to claim 3.

#### ***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. **Claims 4, 5, 26, and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter (U.S. Pat. #6940543) in view of Masuda (Pub. No. US 2002/0118797).

For **claim 4**, Hunter discloses the system according to claim 3, further comprising a smart card or alternately a remote transmitter for re-enabling the functions of the camera.

However, Hunter does not expressly teach the system further comprising: an emergency communication detector for detecting occurrence of an emergency communication to inform the

camera function controller of the occurrence of the emergency communication, wherein, when informed of the occurrence of the emergency communication in a case of inhibition of a predetermined camera function, the camera function controller releases the inhibition of the predetermined camera function.

In a similar field of endeavor, Masuda discloses an emergency communication detector (fig. 2) for detecting occurrence of an emergency communication to inform the camera function controller of the occurrence of the emergency communication, wherein, when informed of the occurrence of the emergency communication in a case of inhibition of a predetermined camera function, the camera function controller releases the inhibition of the predetermined camera function. Please read pgs. 2-3, pgphs. 0042-0050. In light of the teaching of Masuda, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hunter with the emergency detector of Masuda in order provide video communication in case of an emergency (Masuda, page 1, pgphs. 0008 and 0009).

For **claim 5**, Hunter, as modified by Masuda, discloses the system according to claim 4, wherein the predetermined camera function is a video telephone function (Masuda, pg. 2, pgphs. 0034-0035).

**Claims 26-27** are apparatus claims corresponding to apparatus claims 4-5, respectively. Therefore, claims 26-27 are analyzed and rejected as previously discussed with respect to claims 4-5, respectively.

7. **Claims 6 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter (U.S. Pat. #6940543) in view of Steinburg et al. (U.S. Pat. #6,433,818).

For **claim 6**, Hunter discloses the system according to claim 3, further comprising a smart card or alternately a remote transmitter for re-enabling the functions of the camera. However, Hunter does not expressly teach a face image memory for previously registering a face image of each authorized user, wherein, when an input image picked up by the camera matches a face image registered in the face image memory in a case of inhibition of a predetermined camera function, the camera function controller releases the inhibition of the predetermined camera function.

In a similar field of endeavor, Steinberg teaches a face image memory (fig. 13, block 208) for previously registering a face (eye) image of each authorized user (col. 9, lines 14-37), wherein, when an input image picked up by the camera matches a face image registered in the face image memory in a case of inhibition of a predetermined camera function, the camera function controller releases the inhibition of the predetermined camera function (col. 9, lines 14-37). In light of the teaching of Steinburg, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hunter with the face detection feature of Steinburg in order to limit camera usage by an authorized person (Steinburg, col. 2, lines 2-6).

**Claim 28** is an apparatus claim corresponding to apparatus claim 6. Therefore, claim 28 is analyzed and rejected as previously discussed with respect to claim 6.

8. **Claims 7 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter (U.S. Pat. #6940543) in view of Steinburg et al. (U.S. Pat. #6,433,818) as applied to claims 6 and 28 above, and further in view of Masuda (Pub. No. US 2002/0118797).



**Claims 7 and 29** each correspond to apparatus claim 5. Therefore, claims 7 and 29 are each analyzed and rejected previously discussed with respect to claim 5.

9. **Claims 8, 9, 30, and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter (U.S. Pat. #6940543) in view of Masuda (Pub. No. US 2002/0118797) and Steinburg et al. (U.S. Pat. #6,433,818).

For **claim 8**, Hunter discloses the system according to claim 3, comprising a smart card or alternately a remote transmitter for re-enabling the functions of the camera.

However, Hunter does not expressly teach an emergency communication detector for detecting occurrence of an emergency communication to inform the camera function controller of the occurrence of the emergency communication; and a face image memory for previously registering a face image of each authorized user, wherein, in one of cases where the camera function controller is informed of the occurrence of the emergency communication in a case of inhibition of a predetermined camera function and where an input image picked up by the camera matches a face image registered in the face image memory in a case of inhibition of the predetermined camera function, the camera function controller releases the inhibition of the predetermined camera function.

In a similar field of endeavor, Masuda discloses an emergency communication detector (fig. 2) for detecting occurrence of an emergency communication to inform the camera function controller of the occurrence of the emergency communication; and please read pgs. 2-3, pgphs. 0042-0050.

Also, in a similar field of endeavor, Steinberg teaches a face image memory (fig. 13, block 208) for previously registering a face (eye) image of each authorized user (col. 9, lines 14-37),

Hunter, as modified by Masuda and Stenberg, teaches wherein, in one of cases where the camera function controller is informed of the occurrence of the emergency communication in a case of inhibition of a predetermined camera function (Masuda, pgphs. 0042-0050) and where an input image picked up by the camera matches a face image registered in the face image memory in a case of inhibition of the predetermined camera function (Steinberg, col. 9, lines 14-37), the camera function controller releases the inhibition of the predetermined camera function (Masuda, pgphs. 0042-0050; Steinberg col. 9, lines 14-37).

In light of the teaching of Masuda, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hunter with the emergency feature of Masuda in order provide video communication in case of an emergency (Masuda, page 1, pgphs. 0008 and 0009).

In light of the teaching of Steinburg, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hunter with the face detection feature of Masuda in order to limit camera usage by an authorized person (Steinburg, col. 2, lines 2-6).

For **claim 9**, Hunter, as modified by Masuda and Stenberg, system according to claim 8, wherein the predetermined camera function is a video telephone function (Masuda, pg. 2, pgphs. 0034-0035).

**Claims 30-31** are apparatus claims corresponding to apparatus claims 8-9, respectively. Therefore, claims 30-31 are analyzed and rejected as previously discussed with respect to claims 8-9, respectively.

10. **Claims 10 and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter (U.S. Pat. #6940543).

For **claim 10**, Hunter discloses system according to claim 3, wherein the radio station broadcasts the camera-function limiting signal. Please see fig. 2 and read col. 4, lines 50-65. However, Hunter's second embodiment in fig. 2 does not expressly teach broadcasting in a short-range radio communication scheme, which is different from a radio communication scheme of the mobile communication terminal.

In the same field of endeavor, Hunter's first embodiment (fig. 1) broadcasts the camera-function limiting signal in a short-range radio communication scheme (14), which is different from a radio communication scheme of the mobile communication terminal (col. 3, line 66 – col. 4, line 13). Please note that figure 2 of Hunter illustrates a transmitter with the same reference number (14) as in figure 1 of Hunter. In light of the teaching of Hunter's first embodiment, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the second embodiment of Hunter with a short-range radio communication scheme in order to provide a restricted predetermined area for the use of the camera (Hunter, col. 1, lines 37-45).

**Claim 32** is an apparatus claim corresponding to apparatus claim 10. Therefore, claim 32 is analyzed and rejected as previously discussed with respect to claim 10.

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**\*Note:** The U.S. Patent and Trademark Office considers Applicant's "or" language to be anticipated by any reference containing one of the subsequent corresponding elements.

*Conclusion*

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carramah J. Quiett whose telephone number is (571)272-7316. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. J. Q./  
Examiner, Art Unit 2622  
April 3, 2008

*/Ngoc-Yen T. VU/  
Supervisory Patent Examiner, Art Unit 2622*